


UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

DO NOT WRITE IN THIS SPACE	
Case 10-CA-289842	Date Filed 2/1/22

INSTRUCTIONS:

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT	
a. Name of Employer The Atlanta Opera, Inc.	b. Tel. No. 404-881-2259
	c. Cell No.
	f. Fax No.
d. Address (Street, city, state, and ZIP code) 1575 Northside Drive NW, Suite 350 Atlanta, GA 30318	e. Employer Representative Micah Fortson, Managing Director
	g. e-mail mfortson@atlantaopera.org
	h. Number of workers employed 3
i. Type of Establishment (factory, mine, wholesaler, etc.) Opera company	j. Identify principal product or service Opera productions
The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) (3) and (4) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.	
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) See attached Rider.	
3. Full name of party filing charge (if labor organization, give full name, including local name and number) Make-Up Artists and Hair Stylists Union, Local 798, IATSE	
4a. Address (Street and number, city, state, and ZIP code) 70 West 36th Street, Suite 4A New York, NY 10018	4b. Tel. No. 212-627-0660
	4c. Cell No.
	4d. Fax No. 212-627-0664
	4e. e-mail organizing@local798.net
5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization) International Alliance of Theatrical Stage Employees, Moving Picture Technicians, Artists and Allied Crafts of the United States, Its Territories and Canada, AFL-CIO	
6. DECLARATION	
I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.	
 (signature of representative or person making charge)	Nicholas J. Johnson, Counsel (Print/type name and title or office, if any)
Spivak Lipton LLP Address 1700 Broadway, 21st Floor, New York, NY 10019	Tel. No. 212-765-2100
	Office, if any, Cell No.
	Fax No. 212-765-8954
	e-mail njohnson@spivaklipton.com
Date Feb 1, 2022	

**WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)
PRIVACY ACT STATEMENT**

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigation. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information may cause the NLRB to decline to invoke its processes.

RIDER

Unfair Labor Practice Charge Against The Atlanta Opera, Inc.

Since on or about a date within six months prior to the filing of this charge, the Employer violated the Act by changing employees' terms and conditions of employment, including but not limited to, conditioning their employment on the execution of independent contractor agreements, changing their method of pay from an hourly rate to a flat fee, and eliminating overtime pay, in retaliation for their protected concerted activities.

Since on or about a date within six months prior to the filing of this charge, the Employer violated the Act by conditioning employment on employee applicants' waiver of the right to strike.

Since on or about a date within six months prior to the filing of this charge, the Employer violated the Act by discriminatorily refusing to rehire former employees in retaliation for their protected concerted activities and for their participation in and/or because they testified in an NLRB proceeding.

Since on or about a date within six months prior to the filing of this charge, the Employer violated the Act by subcontracting out unit work because employees engaged in protected concerted activities.